**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT :**

**THE HONOURABLE MR. JUSTICE V.RAMKUMAR**

**TUESDAY, THE 20TH FEBRUARY 2007 / 1ST PHALGUNA 1928**

**Bail Appl..No. 943 of 2007()**

**(AGAINST CRIME NO.43/2007 OF BALUSSERY POLICE STATION)**

**PETITIONERS:**

1. **JAYAPRAKASH, AGED 35 YEARS,**
   **SON OF SREEDHARAN, CHALIPURAYIL VEEDU,**
   **UNNIKULAM AMSOM, POONUR DESOM, P.O.UNNIKULAM,**
   **KOZHIKODE TALUK.**

2. **JANAKI, AGED 55 YEARS, WIFE OF**
   **SREEDHARAN, CHALILPURAYIL VEEDU,**
   **UNNIKULAM AMSOM, POONUR DESOM, P.O.UNNIKULAM,**
   **KOZHIKODE TALUK.**

**BY ADV. SRI.JACOB ABRAHAM**

**RESPONDENT:**

**THE S.I. OF POLICE,**
**BALUSSERY POLICE STATION, KOZHIKODE**
**THROUGH PUBLIC PROSECUTOR, HIGH COURT OF KERALA,**
**ERNAKULAM.**

**BY PUBLIC PROSECUTOR SRI. JAI GEORGE**
**BY SRI.T.G.RAJENDRAN (FOR DEFACTO COMPLAINANT)**

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 20/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

**V. RAMKUMAR, J.**

**B.A. No. 943 OF 2007**

**Dated this the 20th day of February, 2007**

**O R D E R**

In this Petition filed under Sec. 438 Cr.P.C. the petitioners, who are accused Nos.1 and 2 in Crime No.43/2007 of Balussery Police Station for offences punishable under Sections 406 and 498A read with section 34 I.P.C., seek anticipatory bail.

2. I heard the learned counsel for the petitioners, counsel for the de facto complainant and the learned Public Prosecutor.

3. Having regard to the nature of the allegations levelled against the petitioners and the other circumstances of the case, I am inclined to grant anticipatory bail to the petitioners. Accordingly, a direction is issued to the officer-in-charge of the police station concerned to release the petitioners on bail for a period of one month in the event of their arrest in connection with the above case on each of them executing a bond for Rs. 10,000/- (Rupees ten thousand only) with two solvent sureties each for the like amount to the satisfaction to the said officer and subject to the following conditions:

a. 1st petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

b. Petitioners shall make themselves available for interrogation as and when required by the Investigating Officer.

c. Petitioners shall not influence or intimidate the prosecution witnesses nor shall they attempt to tamper with the evidence for the prosecution.

d. Petitioners shall not commit any offence while on bail.

e. Petitioners shall surrender before the Magistrate concerned and seek regular bail in the meanwhile.

If the petitioners commit breach of any of the above conditions, the bail granted to them shall be liable to be cancelled.

This application is allowed as above.

**(V. RAMKUMAR, JUDGE)**

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